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July 21, 2025

VIA ECF

United States District Court of the Southern District of New York
The Honorable Nelson S. Román
300 Quarropas Street, Courtroom 218
White Plains, NY 10601-4150

Re: *Dominguez Ochoa et al. v. Ochoa Perez et al.*
Civil Action No.: 7:24-cv-04736-NSR

Dear Judge Román:

We represent Respondent Wendi Ochoa-Perez in this matter. Pursuant to Fed. R. Civ. P. 5.2, we respectfully request that the transcript of the evidentiary hearing scheduled for July 21 through July 24, 2025, and a portion of Respondent's exhibits outlined below, be filed under seal and not be filed publicly.

A court evaluates requests to seal under a three-step process: (1) "determine whether the information to be sealed is a 'judicial document' to which the presumption of public access applies"; (2) "determine the 'weight of that presumption'"; (3) "after determining the weight of the presumption of access, ... balance competing considerations against it." *Jimenez-Fogarty v. Fogarty*, No. 1:24-CV-08705 (JLR), 2024 WL 5039666, at *1 (S.D.N.Y. Dec. 9, 2024). Access to judicial records is "best left to the sound discretion of the trial court, a discretion to be exercised in light of the relevant facts and circumstances of the particular case." *Bernsten v. O'Reilly*, 307 F. Supp. 3d 161, 165 (S.D.N.Y. 2018) (quoting *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 599 (1978)).

Transcript of Hearing Testimony

The transcript of the July 21 through July 24, 2025 evidentiary hearing will include extensive amounts of sensitive and confidential information, including the use of names of minor children, dates of birth, medical records, treatment, and diagnosis, information about trauma, abuse, and information from Family Court proceedings. For these reasons, Respondent respectfully requests that the transcript be filed under seal. *See Jimenez-Fogarty*, 2024 WL 5039666, at *2 ("Plaintiffs' Complaint includes sensitive and confidential information from

MEMO ENDORSED

KASOWITZ LLP

July 21, 2025

Page 2

ongoing matrimonial proceedings, including children's names, photographs, and personally identifiable information and her ex-husband's personally identifiable and other confidential information. That is information that should be redacted pursuant to Rule 5.2 of the Federal Rules of Civil Procedure.”); S.D.N.Y. Electronic Case Filing Rules and Instructions, §§ 21.3, 21.4 (“You should not include sensitive information in any document filed with the Court unless such inclusion is necessary and relevant to the case. ... Caution should be exercised when filing documents that contain the following: Personal identifying numbers (PIN #'s), such as a driver's license number[,] Medical records, treatment, and diagnosis”).

Exhibits Containing Personal Identifying Information

Below is what we believe to be a comprehensive list of Respondent's exhibits that contain sensitive and confidential information. Should these exhibits be admitted into evidence, we request that they be sealed. *K.U. v. Freden*, No. 25-CV-361-LJV, 2025 WL 1473974, at *5 (W.D.N.Y. May 21, 2025) (“regardless of whether the exhibits are judicial documents, this Court grants K.U.'s motion to seal them for the same reasons that led this Court to allow K.U. to proceed by pseudonym. Again, the potential harm of disclosing K.U.'s identity—including the fact that it could cause him to be subject to persecution and harassment—outweighs the public's interest in disclosure under both the common law and First Amendment standards.” (citation omitted)); *Hilbert S. v. Cnty. of Tioga*, No. 3:03-CV-193, 2005 WL 1460316, at *15 (N.D.N.Y. June 21, 2005) (“the papers filed in the action, including the depositions of the infant plaintiffs, reveal intimate details about the sexual and physical abuse these children have been subjected to during their lives. The Court finds that the interest in protecting the privacy of these children, and shielding them from undue embarrassment or ridicule, outweighs the right of access to the unredacted documents filed in this action.”).

If the Court would prefer the exhibits to be redacted, rather than sealed, we request that they be sealed in their entirety on a provisional basis, and Respondents be permitted to submit redacted versions within 21 days after the conclusion of the hearing.

Exhibit	Description
Exhibit A	J.A.D. Summons and Custody Petition, December 6, 2023
Exhibit B	J.A.D. Order Appointing Attorney for Child, January 2, 2024
Exhibit C	J.A.D. Notice of Motion for Special Findings, December 2023
Exhibit D	J.A.D. Affirmation in Support of Special Findings, December 14, 2023
Exhibit E	J.A.D. Affirmation Exhibit A, Affidavit of Wendi Ochoa, December 6, 2023
Exhibit F	J.A.D. Affirmation Exhibit B, Affidavit of J.A.D., December 6, 2023
Exhibit G	J.A.D. Affirmation Exhibit C, Sworn Letter of Idalia Dominguez Ochoa, August 22, 2022
Exhibit H	J.A.D. Affirmation Exhibit D, Affidavit of Oscar Sabas Rendon Bailon, August 20, 2023
Exhibit I	J.A.D. Affirmation Exhibit E, Affidavit of Sonia Ochoa Trujillo, August 30, 2023
Exhibit J	J.A.D. Affirmation Exhibit F, Text Messages from Idalia Dominguez Ochoa
Exhibit K	J.A.D. Affirmation Exhibit G, Birth Certificates for W.Y.A.D. and J.A.D.
Exhibit L	W.Y.A.D. Summons and Custody Petition, December 6, 2023
Exhibit M	W.Y.A.D. Order Appointing Attorney for Child, January 2, 2024
Exhibit N	W.Y.A.D. Notice of Motion for Special Findings, December 2023

KASOWITZ LLP

July 21, 2025

Page 3

Exhibit	Description
Exhibit O	W.Y.A.D. Affirmation in Support of Special Findings, December 14, 2023
Exhibit P	W.Y.A.D. Affirmation Exhibit A, Affidavit of Wendi Ochoa, December 6, 2023
Exhibit Q	W.Y.A.D. Affirmation Exhibit B, Affidavit of J.A.D., December 6, 2023
Exhibit R	W.Y.A.D. Affirmation Exhibit C, Sworn Letter of Idalia Dominguez Ochoa, August 22, 2022
Exhibit S	W.Y.A.D. Affirmation Exhibit D, Affidavit of Oscar Sabas Rendon Bailon, August 20, 2023
Exhibit T	W.Y.A.D. Affirmation Exhibit E, Affidavit of Sonia Ochoa Trujillo, August 30, 2023
Exhibit U	W.Y.A.D. Affirmation Exhibit F, Text messages from Idalia Dominguez Ochoa
Exhibit V	W.Y.A.D. Affirmation Exhibit G, Birth Certificates for W.Y.A.D. and J.A.D.
Exhibit W	Text Messages between Idalia Dominguez Ochoa and Wendi Ochoa
Exhibit Y	Text Messages from Marco Antonio Aragon Leon to Wendi Ochoa
Exhibit AA	Text Messages from Marco Antonio Aragon Leon to Idalia Dominguez Ochoa
Exhibit DD	Photograph of J.A.D. feeding brother
Exhibit EE	Photograph of W.Y.A.D.
Exhibit FF	Photograph of J.A.D. and W.Y.A.D.
Exhibit GG	Photograph of Isaias Sanchez Ochoa and W.Y.A.D.
Exhibit HH	Photograph of J.A.D. and W.Y.A.D. with Cousins
Exhibit II	Photograph of J.A.D. Singing in Church
Exhibit JJ	Photograph of J.A.D. and W.Y.A.D. Playing
Exhibit KK	J.A.D. School Records
Exhibit LL	J.A.D. South Middle School 6th Grade Report Cards, 2024-2025
Exhibit MM	J.A.D. Certificate of Recognition, January 2, 2025
Exhibit NN	J.A.D. Drone Flight School Certificate of Completion
Exhibit OO	J.A.D. Q1 Honor Roll Certificate, 2024-2025
Exhibit PP	J.A.D. Q2 Honor Roll Letter, March 7, 2025
Exhibit QQ	J.A.D. Report Card from Mexico, June 19, 2020
Exhibit RR	Letter from Fernando Hernandez regarding Church Involvement, April 14, 2025
Exhibit SS	J.A.D. School Health Examination Report, July 9, 2024
Exhibit TT	J.A.D. Cornerstone Pediatric Records, June 10, 2025
Exhibit UU	J.A.D. Dental Records
Exhibit VV	J.A.D. Fearless! Therapy Records
Exhibit WW	W.Y.A.D. Departure of Early Intervention Program, February 4, 2025
Exhibit XX	W.Y.A.D. Authorization for Special Education Services, July 31, 2024
Exhibit YY	W.Y.A.D. Special Education Meeting Report, July 31, 2024
Exhibit ZZ	W.Y.A.D. Preschool Committee on Special Education Letter, April 29, 2025

KASOWITZ LLP

July 21, 2025

Page 4

Exhibit	Description
Exhibit AAA	W.Y.A.D. Early Intervention Services Records, June 6, 2025
Exhibit BBB	W.Y.A.D. Cornerstone Pediatric Records, June 10, 2025
Exhibit CCC	W.Y.A.D. Child Well Care Medical Report, October 11, 2023
Exhibit DDD	W.Y.A.D. WIC Letter Scheduling Appointment, October 5, 2022
Exhibit EEE	J.A.D. and W.Y.A.D. Health Insurance Cards
Exhibit FFF	Wendi Ochoa Fearless! Therapy Records
Exhibit GGG	Receipts of Money for Children
Exhibit HHH	Wendi Ochoa Work Permit and New York State Identification
Exhibit III	Wendi Ochoa I-797 Notice of Action Petition for Immigration Status
Exhibit LLL	Letter from U.S. State Department re Hague Action, January 26, 2024
Exhibit GGG.1	Translation of Exhibit GGG Page 10, Text Messages with Idalia Dominguez Ochoa
Exhibit NNN	Expert Report of Pamela Krasner
Exhibit OOO	Expert Report of Dr. Martha L. Garcia
Exhibit PPP	Video Taken by Respondent Isaias in Mexico

Sincerely,

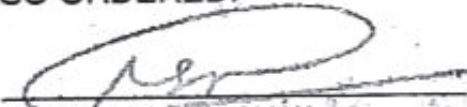
/s/ Christian T. Becker

Christian T. Becker

cc: All Counsel of Record (via ECF)

Application is GRANTED *nunc pro tunc* to July 21, 2025, as discussed on the record. Clerk of Court is requested to terminate the motion at ECF No. 52.
Dated: White Plains, NY
July 31, 2025

SO ORDERED:


 HON. NELSON S. ROMAN
 UNITED STATES DISTRICT JUDGE